EXEC/EBKE/am4/ccm Date of Issuance: April 2, 2018

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Emergency Disaster Relief Program.	FILED PUBLIC UTILITIES COMMISSION MARCH 22, 2018 SAN FRANCISCO, CALIFORNIA RULEMAKING 18-03-011

ORDER INSTITUTING RULEMAKING REGARDING EMERGENCY DISASTER RELIEF PROGRAM TO SUPPORT CALIFORNIA RESIDENTS

Summary

In November 2017 and January 2018, and consistent with the Governor's declaration of a state of emergency in several counties, the Commission adopted Resolutions M-4833 and M-4835, which required utility companies – electric, gas, communications, and water -- to take reasonable and necessary steps to assist Californians affected by a series of devastating wildfires in Northern and Southern California. The protections adopted in those resolutions were designed to ensure that Californians who experienced housing or financial crises due to disaster did not lose access to vital utility services, and applied only to the specific incidents identified in the resolutions.

We initiate this proceeding to consider whether to adopt comprehensive post-disaster consumer protection measures for all utilities under the Commission's jurisdiction. First, this Order Instituting Rulemaking seeks comments on whether to adopt the emergency consumer protections that were ordered in Resolutions M-4833 and M-4835 for use by all utilities in the event of incidents similar to those addressed in those Resolutions -- disasters in which the Governor issues a state of emergency proclamation. In addition, this proceeding

may also consider whether those consumer protections, if adopted, should be modified or augmented to ensure the availability of well-defined and consistent post-disaster protections in emergency situations.

1. Background and Procedural History

Autumn 2017 will be remembered for the terrible wildfires that devastated numerous communities in Northern and Southern California.

On October 8, 2017, multiple fires broke out throughout Northern California. In less than 24 hours, more than 18 fires began burning in at least seven counties. By the time the fires were contained two weeks later, more than 200,000 acres of land were devastated and dozens of lives were lost. The fires damaged utility infrastructure providing electricity, communications, water, and gas service to thousands of Californians.

On October 9 and 10, 2017, Governor Brown declared states of emergency in the Counties of Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba.[1]

On October 9, 2017, the Canyon Fire began burning in Southern California, resulting in additional evacuations and damage to utility infrastructure.

On October 24, 2017, The Utility Reform Network submitted a letter to the Commissioners and Executive Director requesting that the Commission take actions to assist the wildfire victims, including:

(1) Waiver of deposits to establish service and expediting move-ins and move-outs;

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[1] The Governor's Proclamations are available at: https://www.gov.ca.gov/anews.php?id=2-2017-October.

(2) Suspension of disconnection for non-payment and associated fees;

(3) Suspension of deposits to re-establish credit and late fees;

(4) Offer payment plans for customers affected by the wildfire disaster who have prior arrearages, or who indicate inability to pay current bills (e.g., a payment plan of longer duration than the utility's internal policies might otherwise allow); and

(5) Accounting for reduced consumption in estimation of bills and ceasing to bill customers whose homes are not able to receive utility services.

On November 13, 2017, the Commission issued Resolution M-4833, requiring the energy, water, and communications utilities to take specific actions to assist Californians affected by the wildfires in the stated counties, including but not limited to:

(1) Waiving deposit requirements for customers seeking to reestablish service, and expediting move-in and move-out requests;

(2) Ceasing estimated energy billing for the period when a dwelling was unoccupied due to the wildfires;

(3) Implementing payment plan options;

(4) Waiving deposit and late fee requirements;

(5) Freezing standard and high-usage reviews for CARE customers;

(6) Requiring communications carriers of last resort to waive certain fees;

(7) Giving California LifeLine customers additional time for mandatory renewal, and suspending the rules requiring de-enrollment for non-use.

On December 4, 2017, wildfires broke out across Southern California. The Thomas Fire began in Ventura County and spread into Santa Barbara County, burning more than 280,000 acres and taking two lives before it was contained in January 2018. The Thomas Fire was quickly followed by the Creek Fire, which burned more than 15,619 acres, and the Rye Fire, which burned 6,049 acres. On December 6, 2017, the Skirball Fire broke out in Bel Air, destroying six homes, damaging twelve homes, and threatening the Getty Center. On December 7, 2017 the Lilac Fire erupted in San Diego County, burning 4,100 acres in just a few hours. Finally, on December 7, 2017, the Liberty Fire broke out in Riverside County, eventually burning 300 acres.

On December 5 and December 7, 2017, Governor Brown declared states of emergency in the counties of Ventura, Los Angeles, San Diego, and Santa Barbara, and requested a Presidential declaration of emergency for the Southern California Fires.[2]

On January 12, 2018, the Commission issued Resolution M-4835, which required that the energy and communications utilities in Southern California provide protections to Californians affected by the Southern California wildfires similar to the measures ordered in Resolution M-4833.

In issuing the two resolutions, the Commission stated that:

> Having access to essential utility services is critical to rebuilding the affected communities. Residential and non-residential customers in the wildfire affected counties may fall behind on utility payments, not of their own volition, but as they bear costs of rebuilding their homes or transitioning to permanent or long-term substitute housing. Thus, the Commission grants wildfire victims protection from service discontinuation for nonpayment, and associated fees, [for one year]. These exemptions are provided in response to extraordinary circumstances and

[2] The Governor's Proclamations are available at: https://www.gov.ca.gov/anews.php?id=2-2017-December.

> Proclamations of State of Emergency; they do not establish precedent for standard ratemaking and customer service Commission processes.[3]

This Rulemaking explores options for replacing the Resolution process employed after the recent wildfires with a permanent set of post-disaster consumer protection measures.

Based on our experience with Resolutions M-4833 and M-4835, the Commission seeks to establish consumer protections that can be implemented expeditiously by utilities following a triggering event rather than needing to prepare and adopt a resolution after each event. As a result, this Rulemaking is intended to establish a permanent set of post-disaster consumer protection measures, which utilities will be required to implement in the event of a declared disaster. A permanent disaster relief program will ensure predictability and consistency across utilities, and will allow utility companies to establish the systems and procedures necessary to provide swift and substantive assistance to Californians affected by disaster.

2. Preliminary Scoping Memo

The preliminary scope of issues in the proceeding is set forth below, and may be changed by the Assigned Commissioner's scoping memo. (See Commission's Rules of Practice and Procedure Rule 7.3.)

2.1 Track 1: Expedited Application of Emergency Consumer Protections Adopted for Residential Customers in Resolutions M-4833 and M-4835 to Additional Utilities in Comparable Emergencies

[3] Resolution M-4835, pages 3-4.

As an initial matter, the Commission seeks comment on whether the emergency consumer protections adopted by the Commission pursuant to Resolutions M-4833 (see Attachment 1) and M-4835 (see Attachment 2) should be applied to additional utilities for use in comparable emergencies. Under this proposal, the consumer protection measures adopted in the attached resolutions would be available to affected customers when the Governor issues a state of emergency proclamation. The consumer protections, if adopted, would automatically apply to residential customers of all utility companies under the Commission's jurisdiction that live in the geographic areas identified by the Governor's proclamation, for a period of one year from the date of the proclamation. We expect to resolve these initial questions on an expedited schedule in order to ensure that necessary post-disaster consumer protections are available as soon as possible. These protections could be revised, if appropriate, in a subsequent phase of this Rulemaking.

The following questions are within the scope of Track 1 of the proceeding, and we hope to address them on an expedited basis:

1. Should some or all of the post-disaster consumer protections that the Commission adopted in Resolutions M-4833 and M-4835 (including, e.g., the establishment of Memorandum Accounts) be adopted for use by all utilities subject to Commission jurisdiction?

2. If such post-disaster consumer protections are adopted, should they automatically apply to customers living in the geographic areas identified in future formal state of emergency proclamations by the Governor?

2.2 Track 2: Consideration of Additional or Modified Post-disaster Consumer Protections

While the Commission pursues an expedited determination on the Track 1 issues raised in Section 2.1, above, the Commission will consider proposals for additional or modified post-disaster consumer protections in a separate track. Towards that end, the Commission seeks comment on the additional issues discussed below, and on issues that may be relevant to a disaster relief program that are not otherwise identified in this OIR. If the Commission decides to modify the post-disaster consumer protections developed in Resolutions M-4833 and M-4835 and/or Track 1 or to develop a different or more comprehensive disaster relief program:

1. What criteria should be considered to trigger activation of the program?
    a. Should the criteria be fixed and external to the Commission, e.g., only the Governor's proclamation could trigger the disaster relief program, or should there be flexible criteria permitting other entities to trigger the disaster relief program, like: California state agencies (including the Commission), federal agencies or branches, or the utilities?
    b. If the act of one individual (e.g., the Governor) is necessary to trigger activation of the program, should alternates be established in the event of unavailability or incapacity of that individual?
    c. If flexible criteria are preferred, what can be done to limit customer and utility confusion about when disaster relief should be available?

2. Should any post-disaster consumer protections adopted in this proceeding have defined beginning and end dates? For example, how soon after the triggering event discussed above should protections be deemed effective? How long after the triggering event should the protections continue? Should the Commission consider different intervals for different types of disasters? Should the protections be available for a longer interval to customers located within a disaster zone relative to customers who are affected but are located outside a disaster zone?
3. What, if any, additional elements should be included in a comprehensive post-disaster consumer protection program?
   a. Are these consumer protection measures applicable to all disasters? Would different types of disasters (e.g., tsunami, earthquake, flood, mudslide, release of hazardous materials, terrorism or act of war) necessitate different measures?
   b. Do urban and rural areas require different measures?
   c. Are the emergency consumer protection measures adopted in Resolutions M-4833 and M-4835 sufficiently inclusive, or should other measures be added, e.g., required service reconnection intervals?
   d. Should the emergency consumer protection measures include measures necessary to reduce long wait times for gas service reconnection after a disaster?
4. How, if at all, should disaster relief measures adopted in this proceeding be integrated with existing General Orders (e.g., General Order 166, Standards for Operation, Reliability and Safety During Emergencies and Disasters), tariffs, and programs? Should the

disaster relief program be a standalone plan, or should its elements be incorporated into relevant tariffs, General Orders, and programs? If so, which ones? Should utilities incorporate disaster relief measures adopted in this proceeding into their disaster plans?

5. What customer groups should be eligible for the consumer protection measures adopted in this proceeding?
    a. What customer classes (e.g., residential, small commercial) should be eligible for protection under the rules adopted in this proceeding?
    b. Do consumers need to be within a disaster zone to be eligible for relief, or are they eligible for relief if they are affected by the loss of utility infrastructure within the disaster zone?
    c. If someone lives outside of the disaster zone but is affected by the disaster because they work or own a business within the disaster zone, is that person eligible for relief?

2.3 Access to Information

2.3.1 Consumers

The Commission seeks comment on the types of information that should be available to consumers during and after an emergency or disaster and the different methods for providing that information.

- What information should utility companies provide via their websites?
- Are outage maps and data currently available on utility websites appropriate and adequate?
- What other type of information could be useful to customers during and after an emergency?

- How much real-time information on service reconnection intervals is or can be provided on utility websites?

In the event of a disaster or emergency, consumers may be looking for information on utility websites from their wireless phones. Information might include outage maps, emergency numbers and links to third party information, what to do if they smell gas, etc.

- Is there an industry best practice for providing information concerning general emergency preparedness and information specific to active emergencies on utility websites?
- Is the content on utility websites optimized for viewing on mobile devices with small screens?
- Are consumers able to access interactive outage maps from mobile devices?

2.3.2 Local, State, and Federal Social Service Agencies

The Commission also seeks comments on whether and how to require utility companies to provide information to local, state, and/or federal social service agencies. Local, state, and federal social service agencies may offer their own disaster relief programs that may be contingent on receiving information from utility companies. For example, the California Department of Social Services (DSS) recently implemented Disaster CalFresh (D-CalFresh) due to the wildfires in Ventura County.[4] As part of D-CalFresh implementation, DSS received authorization from the United States Department of Agriculture, Food and Nutrition Service to automatically supplement benefits for existing CalFresh households living in zip codes where a majority of residents' electrical service

[4] http://www.cdss.ca.gov/inforesources/CalFresh/Disaster-CalFresh.

was interrupted for four hours or more. Automatic supplements raise the CalFresh allotment to the maximum amount based on household size, creating parity with newly eligible D-CalFresh households. The data allowed DSS to assume existing CalFresh households in specific zip codes had experienced a disaster-related impact, and automatic supplements were issued as part of D-CalFresh implementation. DSS may also issue automatic benefit replacement before D-CalFresh implementation based on power outage data.

Although CalFresh households may apply for replacement or supplements upon request, an automatic replacement or supplement based on power outage data relies on information from the utility company. In order to ensure that Californians affected by disaster receive the state and federal benefits to which they are entitled as expeditiously as possible, the Commission seeks comment on information sharing between utility companies and local, state, and federal agencies.

- DSS is an example of a California state agency that offers disaster benefits; are there other local, state, or federal agencies that offer disaster benefits or assistance and which should be included in any information sharing?
- Are there local, state, and federal agencies that provide disaster benefits or assistance to non-residential customers?
- What information should be provided by default, e.g., prolonged power outages, ruptured gas lines leading to a loss of gas for hot water and space heating, "boil water" advisories from water utilities, loss of wireline or wireless communications services, evacuation orders resulting from hazardous materials spills on a railroad, or other events?
- Similar to the questions asked above about the criteria that should trigger the Commission's emergency disaster protections, what criteria should

trigger the utility companies' reporting obligations to local, state, and federal agencies?

- What types of information do local, state, and federal agencies require from utility companies in the event of a disaster?
- Do local, state, and federal agencies base their respective disaster relief responses on factors such as the duration of service outage, the percentage of customers in a geographic area affected by a disaster and/or service outage, or other factors?
- What are some of the different triggering events that initiate a disaster relief program administered by local, state, and federal agencies? Do the agencies base their disaster programs on a gubernatorial proclamation of a state of emergency, or do more localized or limited events suffice?
- What are the existing disaster response information sharing agreements between utilities and local, state, and federal agencies?
- At what level of geographic granularity should utility companies provide information, and at what level of granularity are local, state, and federal agencies able to use the data?
- Are local, state, and federal agencies sufficiently consistent in their information requirements that generally applicable rules could be established as part of a disaster relief program, or would Memoranda of Understanding (MOUs) need to be executed between agencies and utility companies?
- Does information-sharing between local, state, and federal agencies and utilities raise customer privacy concerns?
- Given the likelihood that disasters will not be contained within zip code boundaries, is it possible to provide data that are sufficiently specificto

ensure that only affected customers receive relief, and that unaffected customers do not?

3. Categorization and Ex Parte Communications

The category of the proceeding is preliminarily determined to be quasi-legislative. Accordingly, ex parte communications are permitted without restriction or reporting requirement until and unless the assigned Commissioner's scoping memo changes the category of the proceeding and/or the determination of need for evidentiary hearing. (See Rules 7.3 and 8.3(a).)

4. Need for Hearing

It is preliminarily determined that evidentiary hearings will not be needed in this proceeding.

5. Preliminary Schedule

The following is the procedural schedule that we anticipate will be followed for this OIR:

Date	Event
March 22, 2018	OIR adopted
20 days from mailing of OIR	Deadline to request to be on the Service List in order to ensure receipt of initial comments.
30 days from mailing	Initial Comments (Tracks 1 & 2) filed and served
45 days from mailing	Reply Comments (Tracks 1 & 2) filed and served
120 days from mailing	Proposed Decision on Track 1 issues
Summer 2018	Pre-hearing conference on Track 2 issues

We anticipate that the Track 1 issues in this proceeding will be resolved within six months of initiation. A subsequent Scoping Memo will address the remaining procedural schedule for Track 2 issues.

6. Respondents

The large investor-owned energy utilities (Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE), Southern California Gas Company (SoCal Gas), and San Diego Gas and Electric Company (SDG&E)), and the telecommunications carriers of last resort identified in Appendix 1 are named as Respondents to this Rulemaking. In addition, we name all Class-A Water utilities (California Water Service Company, California American Water Company, Golden State Water Company, Great Oaks Water Company, Liberty Utilities (Apple Valley Ranchos Water, and Park Water), San Jose Water Company, San Gabriel Valley Water Company, and Suburban Water Systems) as Respondents.

7. Service of OIR

This OIR shall be served on all respondents, on the service lists for Resolutions M-4833 and M-4835, and on the following interested parties, listed individually in Appendix 1:

- All small and multi-jurisdictional energy utilities
- Class B Water Companies
- Wireless providers of LifeLine service
- Facilities based wireless carriers
- Providers of video or broadband service registered with the Commission pursuant to DIVCA
- Transportation Network Companies

While all utilities subject to the Commission's jurisdiction may be bound by the outcome of this proceeding, only those who notify us that they wish to be on the service list will be accorded service by others until a final decision is issued.

In addition, in the interest of broad notice, this OIR will be served on the official service lists for the following proceedings:

- Fire Safety, R.15-05-006
- PG&E General Rate Case, A.15-09-001
- PG&E Gas Transmission and Storage, A.17-11-009
- Physical Security of Electric Infrastructure, R.15-06-009
- SCE General Rate Case, A.16-09-001
- SDG&E General Rate Case, A.17-10-007
- Low Income Water Rate Assistance, R.17-06-024
- California LifeLine, R.11-03-013
- PG&E Wildfire Expense Memorandum Account Application, A.17-07-011
- SDG&E Wildfire Cost Recovery Application, A.15-09-010

Also in the interest of broad notice, this OIR will be served on the following state agencies:

- California Governor's Office of Emergency Services
- California Department of Social Services
- California Department of Forestry and Fire Protection
- California State Air Resources Control Board
- California State Water Resources Control Board
- California Department of Water Resources

Service of the OIR does not confer party status or place any person who has received such service on the Official Service List for this proceeding, other than respondents. Instructions for obtaining party status or being placed on the official service list are given below.

8. Filing and Service of Comments and Other Documents

Filing and service of comments and other documents in the proceeding are governed by the rules contained in Article 1 of the Commission's Rules of Practice and Procedure. (See particularly Rules 1.5 through 1.10 and 1.13.)

9. Addition to Official Service List

Addition to the official service list is governed by Rule 1.9(f) of the Commission's Rules of Practice and Procedure.

Respondents are parties to the proceeding (see Rule 1.4(d)) and will be immediately placed on the official service list.

Any person will be added to the "Information Only" category of the official service list upon request, for electronic service of all documents in the proceeding, and should do so promptly in order to ensure timely service of comments and other documents and correspondence in the proceeding. (See Rule 1.9(f).) The request must be sent to the Process Office by e-mail (process_office@cpuc.ca.gov) or letter (Process Office, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, California 94102). Please include the Docket Number of this rulemaking in the request.

Persons who file timely responsive comments to this Order Instituting Rulemaking thereby become parties to the proceeding (see Rule 1.4(a)(2)) and will be added to the "Parties" category of the official service list upon such filing. In order to assure service of comments and other documents and correspondence in advance of obtaining party status, persons should promptly request addition to the "Information Only" category as described above; they will be removed from that category upon obtaining party status.

10. Subscription Service

Persons may monitor the proceeding by subscribing to receive electronic copies of documents in this proceeding that are published on the Commission's website. There is no need to be on the official service list in order to use the subscription service. Instructions for enrolling in the subscription service are available on the Commission's website at http://subscribecpuc.cpuc.ca.gov/.

11. Intervenor Compensation

Any party that expects to claim intervenor compensation for its participation in this rulemaking must file its notice of intent to claim intervenor compensation within 30 days after the date of the prehearing conference or as otherwise directed by the assigned Commissioner or the assigned Administrative Law Judge. Parties shall use the standardized form attached to the Intervenor Compensation Program Guide, which may be found at: http://www.cpuc.ca.gov/PUC/IntervenorCompGuide. Questions about the intervenor compensation program should be directed to the Commission's Public Advisor.

Therefore, **IT IS ORDERED** that:

1. In accordance with Rule 6.1 of the Rules of Practice and Procedure, the Commission institutes this rulemaking on its own motion to consider the adoption of post-disaster emergency consumer protections for utility customers.
2. The preliminary scope of this rulemaking proceeding is as set forth in
3. Section 2, above. The assigned Commissioner may refine the scope of the rulemaking proceeding instituted by this Order.
4. The preliminary schedule for this Rulemaking is as set forth in Section 5, above. The assigned Commissioner and/or the assigned Administrative Law

Judge may modify the schedule to develop an adequate record, conduct this proceeding in an orderly and efficient manner, and achieve a fair resolution of this proceeding.

5. This Rulemaking is preliminarily determined to be a quasi-legislative proceeding, as that term is described in the Commission's Rules of Practice and Procedure, and it is preliminarily determined that no hearings are necessary.

6. The outcome of this Rulemaking will be applicable to all utilities subject to the Commission's jurisdiction.

7. The large investor-owned utilities, telecommunications carriers of last resort, and Class A water companies are respondents to the OIR.

8. The respondents shall, and any other person may, file comments responding to this within 30 days of the issuance of this Order Instituting Rulemaking.

9. The deadline to file and serve notices of intent to claim intervenor compensation is 30 days after the date of the prehearing conference or as otherwise directed by the assigned Commissioner or the assigned Administrative Law Judge.

10. The Executive Director shall cause this OIR to be served on the respondents and those identified in Section 7, *supra*.

This order is effective today.

Dated March 22, 2018, at San Francisco, California

MICHAEL PICKER
President
CARLA J. PETERMAN
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
Commissioners

APPENDIX 1

Communications Carriers of Last Resort:

Pacific Bell Telephone Company dba AT&T California
Frontier Communications of California
MCImetro Access Transmission Services, LLC
Calaveras Telephone Company
California-Oregon Telephone Company
Ducor Telephone Company
Foresthill Telephone Company
Happy Valley Telephone Company
Hornitos Telephone Company
Kerman Telephone Company
Pinnacles Telephone Company
The Ponderosa Telephone Company
Sierra Telephone Company
Siskiyou Telephone Company
The Volcano Telephone Company
Winterhaven Telephone Company

Facilities Based Wireless Carriers:

Cellco Partnership
GTE Mobilnet of Ca., Ltd. Ptnrshp
Los Angeles Smsa Limited Partnership
Sacramento Valley Ltd. Partnership
Fresno Msa Ltd. Partnership
AirTouch Cellular
Santa Barbara Cellular Systems, Ltd.
AT&T Mobility Wireless Operations Holdings
Alltel Communications, LLC
Pinnacles Cellular Inc.
Verizon Wireless (VZW) LLC
Modoc RSA Limited Partnership
California Rsa No. 4 Ltd. Partnership
United States Cellular Corporation
T-Mobile West LLC
New Cingular Wireless Pcs, LLC

Metropcs California, LLC
Accessible Wireless, LLC
Onvoy Spectrum, LLC
Redding MSA Limited Partnership

Small and Multi-Jurisdictional Utilities:

PacifiCorp
Bear Valley Electric
Liberty Utilities
Southwest Gas Corporation
West Coast Gas Company
Alpine Natural Gas Operating Company

Transportation Network Companies:

Silver Ride LLC
Rasier-Ca, LLC dba Uber
Lyft
Wingz
Executive Ride LLC dba Opoli
Ride Plus LLC dba Provado Mobile Health
See Jane Go
Altruistic dba Bounce
Sitbaq
Socialdrv LLC
Ainos dba Witz
MVN 2 LLC
Hopskipdrive
Zum Services
Dolightful dba Kangado

Class B Water Companies:

Alisal Water Corporation
Bakman Water Company
Del Oro Water Company
East Pasadena Water Company
Fruitridge Vista Water Company

State Video Franchise Holders:

Frontier
AT&T
Cox Communications
Charter Communications and its subsidiaries (CCO SoCal I and II, Falcon Cable Systems, Falcon Telecable, Time Warner Cable Pacific West, Bright House Networks)
Northland Cable Television
Comcast
Baldwin County Internet/DSSI Service
Calaveras Cablevision
USA Communications
Astound Broadband
SureWest Televideo
Redwood IPTV
Mediacom
Suddenlink and its subsidiaries (Cequel III Communications I, NPG Cable, Cebridge Acquisition)
Greenfield Communications
CalNeva Broadband
Horizon Cable TV
Media 3 Communications
Google Fiber California
Sonic Telecom
Access Cable Corporation
Lone Pine Television
Sierra Television
Golden Valley Cable & Communciations
Orion Broadband
Velocity Communications
Inyo Networks
Giggle Fiber
Race TV
The City of Beverly Hills

Wireless Providers of LifeLine Service:
AirVoice
Amerimex
Assurance Wireless
Boomerang
Global Connection
i-Wireless
Tag Mobile
Telrite
Telscape Wireless dba TruConnect
TracFone
Blue Jay Wireless

ATTACHMENT 1

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

EXECUTIVE DIVISION **RESOLUTION M-4833**
November 9, 2017

R E S O L U T I O N

EMERGENCY AUTHORIZATION AND ORDER DIRECTING UTILITIES TO IMPLEMENT EMERGENCY CONSUMER PROTECTIONS TO SUPPORT RESIDENTIAL CUSTOMERS OF THE OCTOBER 2017 CALIFORNIA WILDFIRES.

- **SUMMARY**

The Commission issues this Resolution on its own motion in response to Governor Edmund G. Brown, Jr.'s proclamation of a state of emergency[5] due to the October 2017 wildfires.[6] This Resolution makes multiple determinations. First, the Commission orders Pacific Gas & Electric Company (PG&E), Southern California Edison Company (SCE), Southern California Gas Company (SoCalGas), San Diego Gas and Electric Company (SDG&E), Liberty Utilities (Liberty), California-American Water Company (Cal-Am), Golden State Water Company (Golden State), Kenwood Village Water Company (Kenwood), and Mayacama Golf Course Sewer Utility (Mayacama), and communications companies in the affected areas to take all reasonable and necessary actions to implement the Emergency Consumer Protections adopted in this resolution to support the victims of the October 2017 California wildfires by filing a Tier 2 Advice Letter within 15 days of the date of this resolution. Second, this Resolution authorizes PG&E, SCE, SoCalGas, SDG&E, and Liberty to establish memorandum accounts to track incremental costs associated with complying

[5] Governor Brown's Proclamations of a State of Emergency, available at: https://www.gov.ca.gov/news.php?id=19994 and https://www.gov.ca.gov/news.php?id=19997.

[6] The affected California counties include: Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba.

with this resolution. Third, this Resolution authorizes Cal-Am, Golden State, Kenwood, and Mayacama to activate their catastrophic event memorandum accounts. Finally, the Commission requests communications providers: (1) to refund their customers for the periods that these customers were without service due to the October 2017 fires; (2) suspend the de-enrollment for non-usage rules for the affected California LifeLine participants; and (3) delay the renewal process for the affected California LifeLine Program[7] participants. The Emergency Consumer Protections apply to impacted residential customers for up to one year, from the date of today's resolution.

- **BACKGROUND**

The state of California experienced major wildfires in October gravely impacting the lives of many Californians and affecting multiple utility services across the state.

On October 8, 2017, multiple fires broke out throughout Northern California,[8] during red flag fire conditions and extreme winds of more than 60 miles per hour. These fires grew rapidly. In less than 24 hours, more than 18 fires began burning in at least seven counties. By the time the fires were contained two weeks later, more than 200,000 acres of land were devastated.

The devastation, destruction, and disruption caused by these fires are extraordinary. The human toll, above all else, was staggering: 43 people lost their lives. The youngest victim was 14 years old and the eldest was 100. The fires destroyed utility poles causing loss of power and loss of communication to thousands of residents. Water services and gas services were also impacted.

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[7] California LifeLine Emergency Protections: These two emergency protections lasting between October 1, 2017 and January 31, 2018 will enable California LifeLine participants to keep their California LifeLine discounts for a longer period of time. Our objective is to ensure the fire victims have continued access to essential telecommunications services during this difficult time. California LifeLine telephone service providers and the California LifeLine Administrator must implement the activities associated with these two emergency protections for California LifeLine participants residing in the fire-affected counties in a timely manner.

[8] The affected California counties include: Butte, Lake, Mendocino, Napa, Nevada, Solano, Sonoma, and Yuba.

These fires have destroyed and continue to threaten critical infrastructure, impacting essential services for thousands of people.

On October 9, 2017, the Canyon Fire began burning in Southern California's Orange County, causing evacuations and damage to critical utility infrastructure. While smaller in scale, the fires were no less disruptive to the impacted citizens.

On October 24, 2017, The Utility Reform Network (TURN) submitted a letter[9] requesting emergency consumer protections to support the victims of the California Wildfires. In its letter, TURN asked the Commission to exercise its authority to assist affected residents by adopting emergency consumer protections that include the following:

(1) Waiver of deposits to establish service and expediting move-ins and move-outs;

(2) Suspension of disconnection for non-payment and associated fees;

(3) Suspension of deposits to re-establish credit and late fees;

(4) Offer payment plans for customers affected by the wildfire disaster who have prior arrearages, or who indicate inability to pay current bills (e.g., a payment plan of longer duration than the utility's internal policies might otherwise allow);

(5) Accounting for reduced consumption in estimation of bills and ceasing to bill customers whose homes are not able to receive utility services.

On October 27, 2017, PG&E released a series of billing and service modifications and disaster relief and rebuilding policies to support customers recovering from the immediate aftermath of the October 2017 Northern California Wildfires.[10]

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[9] TURN Letter to CPUC President, Executive Director, and Commissioners.

[10] See PG&E Disaster Billing and Credit Policy, available at: https://www.pge.com/en/about/newsroom/newsdetails/index.page?title=20171027_pge_supports_customers_impacted_by_october_2017_northern_california_wildfires

The Commission takes specific action, in this Resolution, in response to the Governor's emergency proclamations and the proposals by TURN and PG&E to provide continuity and consistency between all utility actions related to emergency customer protections resulting from the statewide October 2017 wildfires.

- **DISCUSSION**

The 2017 Northern California Wildfires and the Orange County Canyon Fire were lethal, destructive, and devastating. 43 people lost their lives. A great number of the structures destroyed in the fires were homes. The Commission believes that persons affected by the wildfires should be assisted, and that California's utilities should provide opportunities for help, in this time of need. The Commission considers the recommendations from TURN and from PG&E's policies as they apply to the Commission's jurisdictional authority[11] for the energy, communications, and water industries servicing the affected counties of Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba.

Having access to essential utility services is critical to rebuilding the affected communities. Residential customers in the wildfire affected counties may fall behind on utility payments, not of their own volition, but as they bear costs of rebuilding their homes or transitioning to permanent or long-term substitute housing. Thus, the Commission grants wildfire victims with protection from service discontinuation for nonpayment, and associated fees, through November 9, 2018. These exemptions are provided in response to extraordinary circumstances and Proclamations of State of Emergency; they do not establish precedent for standard ratemaking and customer service Commission processes.

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[11] The Commission has plenary and broad powers over California's investor-owned electric and natural gas utilities under the California Constitution and the Public Utilities Code section 451, which mandates the following: "Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities… as are necessary to promote the safety, Health, comfort, and convenience of its patrons, employees and the public." (Pub.Util. Code section 451). In the Commission's broad grant of jurisdiction over such utilities in California, the Commission is authorized, "to do all things, whether specifically designated in …. [the Public Utilities Code] or in addition thereto, which are necessary and convenient," to the Commission's regulation of public utilities, including, though not limited to, adopting necessary rules and requirements and in furtherance of the Commission's constitutional and statutory duties to regulate and oversee public utilities operating in California.

For the California LifeLine Program, our specific relief for the California LifeLine participants shall occur between October 1, 2017 and January 31, 2018. Additionally, our relief effort for California LifeLine participants will be partially contingent upon the FCC granting the Commission's request for a temporary waiver of the federal Lifeline program's renewal process and de-enrollment for non-usage rules.
Residential customers in the wildfire affected counties of Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba are eligible for the emergency customer protections stipulated in this Resolution.

Emergency Customer Protections for Electric and Gas Residential Utility Customers

PG&E, SCE, SoCalGas, SDG&E, and Liberty are directed to file Tier 2 compliance advice letters with the Commission's Energy Division to implement the ordering paragraphs of this resolution and modify their tariffs as necessary.

1. **Waive Deposit Requirements for Affected Wildfire Residents seeking to Re-establish Service for one year and expedite Move-in and Move-out Service requests.**

A major hurdle for evacuees trying to transition from shelters, other temporary housing arrangements, and uninhabitable homes to more permanent housing can be credit deposits that utilities require as a condition of providing service. To remove this hurdle, the Commission directs PG&E, SCE, SoCalGas, SDG&E, and Liberty to waive deposit requirements for wildfire victims seeking to reestablish service. This waiver shall last for one year from the date of today's Resolution.

Additionally, the Commission directs PG&E, SCE, SoCalGas, SDG&E, and Liberty to initiate best efforts to expedite move-in and move-outs to support Californians returning to their homes and establishing service in new locations. Move-in and move-outs are limited only to utility account related efforts. PG&E, SCE, SoCalGas, SDG&E, and Liberty shall ensure that utility staff monitor and track the time from when service requests are submitted to the utility to when services are provided to residential customers. Utilities are directed to ensure that sufficient utility staff resources are available to expeditiously facilitate move-in and move-outs.

2. Stop Estimated Energy Usage for Billing Attributed to the Time Period when the Home/Unit was Unoccupied as a result of the Wildfires.

The Commission directs PG&E, SCE, SoCalGas, SDG&E, and Liberty to recalibrate their approach for estimating energy usage to account for reduced consumption during the period of time the home/unit was unoccupied as a result of the wildfires.

2a. Discontinue Billing

PG&E, SCE, SoCalGas, SDG&E, and Liberty shall identify the premises of affected customers that are not capable of receiving utility services and discontinue billing these premises without assessing a disconnection charge.

2b. Minimum billing

PG&E, SCE, SoCalGas, SDG&E, and Liberty shall prorate any monthly access charge or minimum charges for affected customers typically assessed so that no customer shall bear any of these costs for the time period after the customer's home was rendered unserviceable by the fire.

3. Implement Payment Plan Options.

Payment plans are an important tool for preserving access to utility service for customers struggling to keep up with their bills. We believe that payment plans are an important tool to leverage for the victims of the wildfires and direct PG&E, SCE, SoCalGas, SDG&E, and Liberty to offer the wildfire victims payment plan options.

Affected customers who have prior arrearages and have lost their homes or have been displaced, and are seeking to establish service in a new residence, shall be offered a payment plan with an initial payment of no greater than 20 percent of the amount due, and with equal installments for the remainder of not less than twelve billing cycles. For affected customers who currently have service but go into arrearage after October 17, 2017 PG&E, SCE, SoCalGas, SDG&E, and Liberty shall offer a payment plan with an initial payment of no greater than 20 percent of the amount due, and with equal installments for the remainder of not less than eight billing cycles. A customer who is offered a payment plan shall not be precluded from paying off an arrearage more quickly.

4. Suspend Disconnection for Non-payment and Associated Fees, Waive Deposit and Late Fee Requirements.

Utilities may require some customers who pay bills late or are disconnected for non-payment to "re-establish" credit by paying a deposit, which can be up to twice the average monthly bill. Utilities may also assess late fees. These deposits to re-establish credit or the assessment of late fees could adversely impact the victims of the wildfires.

Having access to essential utility services is critical for affected customers to regain stability. It is reasonable to anticipate that some customers may fall behind on utility payments as they bear the costs of rebuilding their homes. Therefore, the Commission directs PG&E, SCE, Liberty, SDG&E, and SoCalGas to suspend disconnection for non-payment and associated fees for affected customers. PG&E, SCE, Liberty, SDG&E, and SoCalGas shall waive the deposit and late fee requirements for affected customers who pay their utility bills late. This waiver shall last for one year from the date of today's Resolution. PG&E, SCE, Liberty, SDG&E, and SoCalGas shall not report late payments by residential customers, who are eligible for these protections, to credit reporting agencies or to other such services.

5. Support for Low-Income Customers affected by the 2017 wildfires.

As stated above, PG&E has initiated support for low-income customers affected by the fires in Northern California. This includes the following: (1) PG&E will freeze all California Alternate Rate for Energy (CARE) eligibility standard and high-usage post enrollment verification (PEV) requests in impacted counties until at least December 31, 2017 and will revisit extending this freeze; (2) PG&E has contacted nine community outreach contractors and will be engaging additional contractors in the affected counties. PG&E will also conduct outreach to the community based organizations who assist in enrolling hard-to-reach CARE customers, in impacted counties and provided information earlier this month on freezing standard and high-used PEVs; and (3) PG&E has partnered with the Salvation Army, the administrator of Relief for Energy Assistance through Community Help (REACH), a PG&E and customer-funded emergency assistance program, to request increasing the assistance cap amount for the next 12 months for impacted customers from $300 to $600.

The measures PG&E has implemented for CARE customers are reasonable. In addition, PG&E should propose modifications to its Energy Savings Assistance program to assist impacted customers. We believe that these measures should be implemented for all impacted customers in the affected wildfire areas. Therefore, the Commission directs SCE, Liberty, SDG&E, and SoCalGas to implement the same actions for impacted CARE customers ordered for PG&E in the required Tier 2 advice letter:

(1) Freeze all standard and high-usage reviews for CARE program eligibility in impacted counties until at least the end of the year, and potentially longer as warranted;

(2) Contact all Community Outreach Contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes; and

(3) Partner with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers.

(4) Indicate how the Energy Savings Assistance program can be deployed to assist impacted customers.

6. Cost Recovery

It is likely that the named gas and electric utilities will incur incremental expenses in complying with this Resolution. In order to allow for recovery of expenses that are reasonably incurred, PG&E, SCE, SoCalGas, SDG&E, and Liberty shall each establish a Wildfires Customer Protections Memorandum Account (WCPMA), to book only those costs associated with protections ordered by this Resolution. The recorded costs must meet the following conditions: (1) those ordered by this Resolution; and (2) incurred starting with the date of the fires. The review of these costs for possible collection in rates will be conducted in a General Rate Case, a Biennial Cost Allocation Plan, or another proceeding. This affords Commission staff an appropriate and sufficient opportunity for review of incurred incremental expense associated with this Resolution.

7. Other Considerations.

PG&E has initiated several billing, credit, and customer support mechanisms for the victims of the wildfires.[12] To the extent that PG&E's policies may have different relief for some customers from what we order here, PG&E shall propose, in its Tier 2 advice letter, how it will reconcile those differences.

Furthermore, as we consider the actions we are directing the utilities to undertake, we should be mindful that many of the affected residents take energy service from community choice aggregators (CCA). This includes Marin Clean Energy (MCE) and Sonoma Clean Power (SCP) as well as other energy providers. Some of the actions described, such as service disconnection, are the utility's responsibility for both bundled and CCA customers. However, other actions require coordination between the CCAs and the utility. Consequently, to ensure continuity and consistency for implementation of these emergency customer protections, PG&E shall meet and confer with the CCAs in affected wildfire areas as early as possible to discuss their roles and responsibilities for each emergency customer protection.

Finally, in order to provide immediate assistance and customer protections, PG&E, SCE, SoCalGas, SDG&E, and Liberty must act with expediency in filing their advice letters. PG&E, SCE, SoCalGas, SDG&E, and Liberty must request expedited advice letter treatment pursuant to the Commission's General Order (GO) 96-B. PG&E, SCE, SoCalGas, SDG&E, and Liberty must also request a waiver or a shortened protest and reply period of five days. Additionally, PG&E, SCE, SoCalGas, SDG&E, and Liberty must include in their advice letters: (1) a proposal that describes how it identifies the areas impacted by the fires; (2) how customers can qualify as "eligible"[13] for each emergency relief proposal; (3) a communication plan to convey the availability of these protections to

[12] See PG&E Disaster Billing and Credit Policy, available at: https://www.pge.com/en/about/newsroom/newsdetails/index.page?title=20171027_pge_supports_customers_impacted_by_october_2017_northern_california_wildfires

[13] PG&E, SCE, SoCalGas, SDG&E, and Liberty may consider the following factors when determining eligibility. These factors are not exclusive or exhaustive, but rather, factors to consider when filing the Tier 2 advice letter: (1) whether the resident has been affected by the wildfires and suffered a temporary or permanent loss of home, employment, school; (2) and/or the inability to access any of these locations or essential services; and/or (3) having to provide for family that has suffered such loss.

customers, especially those who may have been displaced from their homes; and (4) preliminary statement tariff language for the new WCPMA.

Emergency Customer Protections for Residential Communications Customers

1. **Carrier of Last Resort and Other Communication Providers' Efforts.**

In response to data requests from the Communications Division, a number of wireline, wireless and cable based communications companies operating in the fire affected areas have outlined their efforts to support and address the needs of the wildfire victims. We commend these companies on their efforts and remind them that their service, consideration and sensitivity to affected residents will be necessary for months and even years to come. The Commission encourages these providers to continue to take similar actions, importantly, providing bill credits.
We remind Carrier of Last Resort (COLR) of their obligation under their filed tariffs to provide credits to customers for time out of service, as well as any additional service accommodations necessary to ensure their customers have access to telecommunications services following the fires including, but not limited to customer deposits, restoration and connection charges, line extension charges and temporary service allowances.

In a letter to the Commission on November 3, 2017, AT&T outlined its many efforts to address fire victims' needs including free prepaid wireless phones and service to wireline customers who had been affected by the fire. AT&T has also identified the following efforts which we will adopt for all COLRs with customers impacted by the fires:

- A waiver of the one-time activation fee for establishing Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services;
- A waiver of the monthly rate for one month for Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services;
- A waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the original premises;

- A waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire plan;
- A waiver of the fee for up to five free jacks and associated wiring for Inside Wire Plan customers upon their return to their permanent location; and
- A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location.

Additionally, if any COLR or telephone service provider wishes to provide additional service accommodations to their affected customers that vary from or are in addition to their tariffs, we encourage them to seek approval to do so through a Tier 2 advice letter and/or by another means of notification to the Communication Division with 15 days of this Resolution.

2. California LifeLine Program Efforts.

Given the gravity of the disaster from the October 2017 fires, we deem it also necessary to provide emergency protections for the California LifeLine participants residing in Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba counties. Consequently, the Commission delays the renewal process and suspends the de-enrollment for non-usage rules for the California LifeLine participants residing in these fire-affected counties. These emergency protections will last for four months from October 1, 2017 to January 31, 2018. We want to ensure that the fire victims do not have to worry about losing their California LifeLine discounts during this critical time as they rebuild their lives.

3. Emergency Protection: Delaying the Renewal Process

The California LifeLine Program requires participants to renew their California LifeLine discounts before their anniversary dates in order to receive the discounts for another year.[14] The renewal process primarily relies on mailing the renewal packets to participants. With the extensive destruction of structures, including homes, in the fire–affected counties, the receipt of the mailed renewal packets poses a significant barrier to a successful renewal process. Even if a

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[14] *See* General Order 153 § 4.5.

participant received the renewal packet, the fires could have burned the renewal packet.

The renewal process will resume on February 1, 2018 (Catch-Up Renewal Process).[15] In order to conduct the Catch-Up Renewal Process, any impacted participants' anniversary dates will be adjusted to May 17, 2018. The participants in the fire-affected counties will continue receiving their California LifeLine discounts during this Catch-Up Renewal Process.[16]

The table below delineates how the California LifeLine Administrator (Administrator) will determine which participants will be subject to the Catch-Up Renewal Process:

GROUP A	**GROUP B**	**GROUP C**
ACTION: OVERTURN DENIAL & INCLUDE IN CATCH-UP RENEWAL PROCESS	**ACTION: INCLUDE IN CATCH-UP RENEWAL PROCESS**	**ACTION: EXCLUDE FROM CATCH-UP RENEWAL PROCESS**
Administrator already communicated the final denial due to non-response to the renewing participant	Administrator has begun the renewal process, but has yet to communicate the final eligibility decision to the renewing participant	Administrator already communicated the final approval to the renewing participant

[15] The California LifeLine Program's renewal process lasts 105 days. See http://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/UtilitiesIndustries/Communications/ServiceProviderInfo/CDLifeLineNumbering/Timeline_Renewals_062315.pdf (last visited November 1, 2017).

[16] However, we are not altering other rules that would enable service disconnection or de-enrollment of a participant.

GROUP A	GROUP B	GROUP C
ACTION: OVERTURN DENIAL & INCLUDE IN CATCH-UP RENEWAL PROCESS	**ACTION: INCLUDE IN CATCH-UP RENEWAL PROCESS**	**ACTION: EXCLUDE FROM CATCH-UP RENEWAL PROCESS**
Administrator already communicated the final denial due to non-response to the renewing participant, but the consumer is subsequently attempting to enroll in the program (Administrator will conduct an intra-carrier or inter-carrier transfer, as applicable, if the application request is still pending)	Administrator has not begun the renewal process, but is scheduled to occur before February 1, 2018	Administrator has begun the renewal process, but has yet to communicate the final approval to the renewing participant
		Administrator already communicated the final denial due to non-response to the renewing participant, but subsequently enrolled in the program

On the Implementation Start Date[17], the California LifeLine Administrator shall overturn the final denials that it has already communicated to the renewing participants residing in the fire-impacted counties. Then on the next business day after the Implementation Start Date, the California LifeLine Administrator shall notify the relevant California LifeLine service providers of these overturned denials.

[17] The Implementation Start Date will be the next business day after the FCC responds to our waiver request.

Once a California LifeLine service provider receives the overturned denial for a participant, the California LifeLine service provider must review its records and customer accounts to determine if the participant still has an active account with the service provider. If the participant no longer has an active account with the service provider, the California LifeLine service provider must immediately send a disconnect request to the California LifeLine Administrator. The disconnect request must be dated back to the date that the California LifeLine service provider disconnected the phone service. If the participant still has an active account with the California LifeLine service provider, the California LifeLine service provider must continue to provide the California LifeLine discounts to the participant.

On February 1, 2018, the California LifeLine Administrator shall conduct the Catch-Up Renewal Process for Groups A and B as identified in the table above. Also, on the Implementation Start Date, for the participants undergoing the Catch-Up Renewal Process, the California LifeLine Administrator shall adjust the participants' anniversary dates to May 17, 2018. If the Administrator inadvertently excluded a participant from the Catch-Up Renewal Process, the participant may contact the Administrator or the Consumer Affairs Branch to research the situation and to determine the appropriate solution, as applicable.

3a. Emergency Protection: Suspending the De-Enrollment of Non-Usage Rules

The federal Lifeline program requires federal Lifeline participants to use their service in a span of 30 consecutive days, or otherwise risk de-enrollment.[18] This type of de-enrollment mainly applies to pre-paid wireless telephone services. Availability of phone service was impacted by power outages, a damaged cellular hub, and melted, damaged, or knocked out telephone poles, fiber cables, and cellular sites. Additionally, fire victims may have lost their devices in the fire, and thus need time to replace their devices and re-establish phone service. We believe California LifeLine participants residing in the fire-affected counties need a brief period of relief from this type of de-enrollment. These participants should not be de-enrolled for non-usage between October 1, 2017 and January 31, 2018.

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[18] *See* 47 C.F.R. §§ 54.405(e)(3) and 54.407(c)(2).

If a California LifeLine service provider de-enrolled a participant for non-usage between October 1, 2017 and the Implementation Start Date, the service provider must submit an enrollment request to the Administrator to re-connect the participant, subject to the participant being active in the service provider's system. The Administrator will not require these participants to undergo the application process even if the de-enrollment from the California LifeLine Program has been more than 30 days.

The California LifeLine service provider must review its records to determine if the participant still has an active account with the service provider. If the participant no longer has an active account with the service provider, the California LifeLine service provider does not need to send an enrollment request to the California LifeLine Administrator. If the participant still has an active account with the California LifeLine service provider, the California LifeLine service provider must continue to provide the California LifeLine discounts to the participant.

3b. California LifeLine Program's Emergency Protections are Partially Contingent Upon the Federal Communications Commission Granting the Commission's Pending Temporary Waiver.

The Commission has filed with the FCC a request for a temporary waiver of the federal Lifeline program's renewal process and de-enrollment for non-usage rules. If the FCC denies the Commission's Waiver Request for any of the fire-affected counties, the California LifeLine Program will replace any lost federal Lifeline support to California LifeLine participants residing in those excluded counties. The California LifeLine Program will support the participants in the disaster areas for whom the FCC declined to provide emergency relief assistance. If the FCC denies the Commission's Waiver Request in its entirety or constrains the duration of the temporary waiver from the federal Lifeline program's rules, then the California LifeLine staff will submit a draft resolution for the Commission's consideration of measures that the California LifeLine Program should take to support the California LifeLine participants residing in the fire-affected counties.

Additionally, the Implementation Start Date of the California LifeLine Program's emergency protections will depend on the date that the FCC responds to our Waiver Request. The Implementation Start Date will be the next business day after the FCC responds to our Waiver Request. If the FCC does not respond to the Commission's Waiver Request by November 30, 2017, the California LifeLine staff will submit a draft resolution for the Commission's consideration.

3c. Outreach.

California LifeLine service providers, Consumer Affairs Branch staff, and Administrator call center staff have constant communications with consumers. We encourage consumer education by these stakeholders regarding our emergency protections adopted in this Resolution.

Emergency Customer Protections for Residential Water Customers

All Water and Sewer Utilities[19] that serve affected customers shall take the following immediate actions and file an advice letter no later than 15 days after this Resolution's approval demonstrating compliance to the Commission's Water Division:

1. Activate their Catastrophic Event Memorandum Accounts (CEMA).[20]
2. Make insurance claims on all costs and expenses incurred as a result of the fires, and credit insurance payments to their CEMA.
3. Work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for non-payment.
4. Waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system.
5. Provide reasonable payment options to affected customers.
6. Waive bills for October for those customers who lost their homes in the fires. Costs of lost revenues may be included in the appropriate CEMA account.

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[19] Water and Sewer utilities that serve affected customers include: Cal-Am, Golden State, Kenwood, and Mayacama.

[20] Mayacama has never established a CEMA and shall be exempt from this requirement. Water Division is of the understanding that Mayacama's losses, including for service interruption, are to be covered by insurance.

In order to provide immediate assistance and customer protections, Cal-Am, Golden State, Kenwood, and Mayacama must act with expediency in filing their advice letters. Cal-Am, Golden State, Kenwood, and Mayacama must request expedited advice letter treatment pursuant to the Commission's GO 96-B. Cal-Am, Golden State, Kenwood, and Mayacama must also request a waiver or a shortened protest and reply period of five days. Additionally, Cal-Am, Golden State, Kenwood, and Mayacama must include in their advice letters: (1) a proposal that describes how it identifies the areas impacted by the fires; (2) how customers can qualify as "eligible"[21] for each emergency relief proposal; and (3) a communication plan to convey the availability of these protections to customers, especially those who may have been displaced from their homes. Should any of the respondent utilities, Mayacama, Kenwood, Cal Am or Golden State believe they need an exemption from any of the directives stated in this resolution they should write a letter to the Executive Director stating their request and the reasons for that request.

General Compliance with other State statutes and applicable regulations

PG&E, SCE, SoCalGas, SDG&E, and Liberty, Cal-Am, Golden State, Kenwood, Mayacama, and communications companies are directed to ensure compliance with existing statutes, regulations, ordinances and work in cooperation with the California Department of Fire, the Office of Emergency Services, and other appropriate California, federal, and local government agencies.

Finally, if based on the eligibility criteria, a utility believes no customer has been affected in its service territory, the utility must certify that no customer impact has occurred via Tier 2 advice letter with the Commission.

[21] Cal-Am, Golden State, Kenwood, and Mayacama may wish to consider the following factors when determining eligibility. These factors are not exclusive or exhaustive, but rather, factors to consider when filing the Tier 2 advice letter: (1) whether the resident has been affected by the wildfires and suffered a temporary or permanent loss of home, employment, school; (2) and/or the inability to access any of these locations or essential services; and/or (3) having to provide for family that has suffered such loss.

- **COMMENTS**

Public Utilities Code section 311(g)(1) provides that this Resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived ”in an unforeseen emergency … .” The Commission’s Rules of Practice and Procedure also provides that public review and comment may be waived or reduced in an “unforeseen emergency situation” specifically where there are “[a]ctivities that severely impair or threaten to severely impair public health or safety…” (Rule 14.6(a)(1) and/or where there are “[c]rippling disasters that severely impair public health or safety.” (Rule 14.6(a)(2)).

The 30-day comment period is waived pursuant to these authorities due to the extraordinary nature of these disasters. However, in order to better disseminate the directives in this resolution it was served on the service lists of the last General Rate Cases for the energy and water utilities. Interested persons are welcome to monitor the forthcoming advice letter processes.

- **FINDINGS**

1. Beginning on October 8, 2017, wildfires started across Butte, Lake, Mendocino, Napa, Nevada, Solano, Sonoma and Yuba counties.
2. These wildfires damaged or destroyed several thousand structures in electric, gas, water, and communications service territories.
3. Beginning on October 9, 2017 the Canyon Fire in Orange County damaged homes and critical Southern California electric, gas, water, and communications infrastructure.
4. Residential customers affected by these destructive wildfires should be given assistance to pay their utility bills.
5. On October 8, 2017 and October 9, 2017 Governor Brown declared states of emergency in the counties of Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba.
6. Carriers of Last Resort (COLR), including AT&T’s, tariffs require customer credits for time out of service and provide terms and conditions for customer deposits, service restoration, temporary service and line extension charges.

7. In order to address the needs of telecommunications customers affected by the recent fires, it is reasonable to require COLR to waive call forwarding, service connection, service restoration and inside wire fees.

8. COLRs and other telecommunications carriers that wish to offer additional service accommodations that vary from or are in addition to their tariffs, must seek approval to do so through a Tier 2 advice letter and/or by another means of notification to the Communication Division within 15 days of this Resolution.

9. In early November 2017, the Commission filed a request for a temporary waiver with the FCC to suspend the federal Lifeline program's renewal process and de-enrollment for non-usage rules from October 1, 2017 to January 31, 2017 for participants residing in the fire-affected counties.

10. The California LifeLine participants affected by these destructive wildfires should temporarily be exempt from the renewal process and de-enrollment due to non-usage rules from October 1, 2017 to January 31, 2018.

11. The California LifeLine Catch-Up Renewal Process should resume on February 1, 2018.

12. The anniversary date for any impacted California LifeLine participants should be adjusted to May 17, 2018 to conduct the California LifeLine Catch-Up Renewal Process.

13. If a California LifeLine service provider receives an overturned denial from the California LifeLine Administrator, the California LifeLine service provider should check its records to determine whether or not the participant is active in its system.

14. If a California LifeLine service provider de-enrolled a participant residing in the fire-affected counties for non-usage between October 1, 2017 to January 31, 2018, the California LifeLine service provider should check its records to determine whether or not the participant is active in its system.

15. A California LifeLine service provider should not claim California LifeLine Program funding for participants that are not active in its system.

16. The California LifeLine Program should replace any lost federal Lifeline support to California LifeLine participants residing in any of the fire-affected counties that the FCC does not grant a waiver from the federal Lifeline program's de-enrollment for non-usage rules and the renewal process.

17. Public Utilities Code section 311(g)(1) allows the Commission to reduce or waive the public review and comment period in an unforeseen emergency.

- **<u>THEREFORE IT IS ORDERED THAT:</u>**

1. Within 15 days of the date of this resolution, Pacific Gas and Electric (PG&E), Southern California Edison (SCE), Southern California Gas (SoCalGas), San Diego Gas and Electric (SDG&E), and Liberty Utilities (Liberty) must file a Tier 2 advice letter, entitled *Emergency Residential Customer Protections for October Wildfire Victims,* establishing Emergency Customer Protections for the2017 Wildfire, as adopted in Ordering Paragraph 2.
2. PG&E, SCE, Liberty, SDG&E, and SoCalGas must demonstrate in their respective Tier 2 Advice Letter(s) the following actions to assist affected wildfire residents: (a) waiver of deposit requirements those seeking to re-establish service for one year and expedite move-in and move-out service requests; (b) stop estimated energy usage for billing attributed to the time period when the home/unit was unoccupied as a result of the wildfires; (c) discuss how the utility has implemented payment plan options; and (d) waive deposit and late fee requirements; and freeze all standard and high-usage reviews for CARE program eligibility in impacted counties until at least the end of the year, and potentially longer as warranted..
3. PG&E, SCE, Liberty, SDG&E, and SoCalGas must propose a plan in their Tier 2 Advice Letter(s) to implement the following actions for CARE customers: (1) contact all Community Outreach Contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes; (2) partner with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers; and (3) provide Energy Savings Assistance services to impacted customers.
4. PG&E, SCE, SoCalGas, and Liberty must each establish a Wildfires Customer Protections Memorandum Account (WCPMA) to book costs associated with protections ordered by this Resolution which are incurred starting with the date of the fires in each utility's respective territory. The utilities may seek recovery of costs in the WCPMA in a general rate case or other appropriate ratemaking proceeding.
5. PG&E, SCE, SoCalGas, SDG&E, and Liberty must ensure sufficient utility resources are available to expeditiously facilitate move-in and move-outs.

6. The emergency consumer protections in this Resolution will end one year after the effective date of this Resolution unless extended by later order of the Commission
7. PG&E, SCE, SoCalGas, SDG&E, and Liberty must request expedited advice letter treatment pursuant to the Commission's General Order 96-B.
8. PG&E, SCE, SoCalGas, SDG&E, and Liberty must request a waiver or a shortened protest and reply period of five days.
9. PG&E, SCE, SoCalGas, SDG&E, and Liberty must include in their Tier 2 advice letters: (a) a proposal that describes how it identifies the areas impacted by the fires; (b) how customers can qualify as "eligible" for each emergency relief proposal; (c) a plan for communicating the availability of these protections to customers, especially those who may have been displaced from their homes; and (d) Preliminary Statement tariff language for the new WCPMA.
10. PG&E must propose, in its Tier 2 advice letter, how it will reconcile any differences between the actions it may have already taken and what this resolution orders.
11. PG&E must meet and confer with Marin Clean Energy and Sonoma Clean Power on roles and responsibilities regarding emergency customer protections within 30 days of this Resolution.
12. California-American Water Company (Cal-Am), Golden State Water Company (Golden State), Kenwood Village Water Company (Kenwood), and Mayacama Golf Course Sewer Utility (Mayacama) must activate their CEMA.
13. Cal-Am, Golden State, and Kenwood must make insurance claims on all costs and expenses incurred as a result of the fires and credit insurance payments to their CEMA.
14. Mayacama must make insurance claims on all costs and expenses incurred as a result of the fires. Where appropriate the reimbursements shall be credited to affected customers.
15. Cal-Am, Golden State, Kenwood, and Mayacama must work cooperatively with affected customers to resolve unpaid bills, and minimize disconnections for non-payment.
16. Cal-Am, Golden State, Kenwood, and Mayacama must waive reconnection or facilities fees for affected customers and suspend deposits for affected customers who must reconnect to the system.

17. Cal-Am, Golden State, Kenwood, and Mayacama must provide reasonable payment options to affected customers.
18. Cal-Am, Golden State, and Kenwood must waive bills for October for those customers who lost their homes in the fires.
19. Cal-Am, Golden State, Kenwood, and Mayacama must request an exemption from the Executive Director if they believe they need an exemption from any of the directives stated in this Resolution.
20. Carriers of Last Resort, including AT&T, must provide waivers from charges for those services listed in Attachment A.
21. Carriers of Last Resort, including AT&T, must file a Tier 2 advice letter and/or submit a notification to the Communications Division to provide service accommodations that vary from or are in addition to their tariffs to support fire victims within 15 days of this Resolution.
22. The California LifeLine Administrator must delay the renewal process for California LifeLine participants residing in Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba counties consistent with this Resolution.
23. California LifeLine Administrator must conduct the Catch-Up Renewal Process consistent with this Resolution.
24. The California LifeLine Program's de-enrollment for non-usage rules are suspended during October 1, 2017 and January 31, 2018 for California LifeLine participants residing in Butte, Lake, Mendocino, Napa, Nevada, Orange, Solano, Sonoma, and Yuba counties consistent with this Resolution.
25. California LifeLine service providers must comply with the emergency protections afforded to California LifeLine participants residing in the fire-affected counties consistent with this Resolution.
26. The California LifeLine Program must fund any loss in federal Lifeline program support for California LifeLine participants residing in the fire-affected counties that the Federal Communications Commission declines in federal Lifeline support in connection with the Commission's Waiver Request for a temporary waiver of the federal Lifeline program's de-enrollment for non-usage rules and the renewal process.

27. The named utilities must serve their respective advice letters on all service lists impacted by the emergency consumer protections adopted in this Resolution.
28. Finally, if based on the eligibility criteria, a utility believes no customer has been affected in its service territory, the utility must certify that no customer impact has occurred via Tier 2 advice letter with the Commission.
29. This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on November 9, 2017, the following Commissioners voting favorably thereon:

/s/ TIMOTHY J. SULLIVAN

TIMOTHY J. SULLIVAN
Executive Director

MICHAEL PICKER
President
CARLA J. PETERMAN
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
Commissioners

Resolution M-4833

ATTACHMENT A

Telecommunication Carrier of Last Resort Waivers

- A waiver of the one-time activation fee for establishing Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services.
- A waiver of the monthly rate for one month for Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services.
- A waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the original premises.
- A waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire plan.
- A waiver of the fee for up to five free jacks and associated wiring for Inside Wire Plan customers upon their return to their permanent location.

A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location.

ATTACHMENT 2

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Executive Division

San Francisco, California
Date: January 11, 2018
Resolution M-4835

RESOLUTION

EMERGENCY AUTHORIZATION AND ORDER DIRECTING UTILITIES TO IMPLEMENT EMERGENCY CONSUMER PROTECTIONS RELATED TO THE DECEMBER 2017 CALIFORNIA WILDFIRES TO SUPPORT RESIDENTIAL AND NON-RESIDENTIAL CUSTOMERS.

PROPOSED OUTCOME:

- Orders Southern California Edison, Southern California Gas, and San Diego Gas & Electric and communications companies to implement emergency consumer protections to support residential and non-residential customers of the December 2017 Southern California wildfires.

SAFETY CONSIDERATIONS:

- Enhance support with emergency consumer protections for Southern California fire victims.

ESTIMATED COST:

- Unknown at this time.

SUMMARY

The Commission issues this Resolution on its own motion in response to Governor Edmund G. Brown, Jr.'s proclamation of a state of emergency[22] due to the December 2017 wildfires.[23] This Resolution makes multiple determinations. First, the Commission orders Southern California Edison Company (SCE), Southern California Gas Company (SoCalGas), and San Diego Gas and Electric Company (SDG&E) and communications

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[22] Governor Brown's Proclamations of a State of Emergency, available at: https://www.gov.ca.gov/news.php?id=20090.

[23] The affected California counties include: Santa Barbara, Ventura, Los Angeles, and San Diego.

companies in the affected areas to take all reasonable and necessary actions to implement the Emergency Consumer Protections adopted in this resolution to support the victims of the December 2017 California wildfires by filing a Tier 2 Advice Letter within 15 days of the date of this resolution. Second, this Resolution authorizes SCE, SoCalGas, and SDG&E, to establish memorandum accounts to track incremental costs associated with complying with this resolution. Finally, the Commission requests communications providers: (1) to refund their customers for the periods that these customers were without service due to the December 2017 fires; (2) suspend the de-enrollment for non-usage rules for the affected California LifeLine participants; and (3) delay the renewal process for the affected California LifeLine Program[24] participants. The Emergency Consumer Protections apply to impacted residential and non-residential customers for up to one year, from the date of today's resolution.

BACKGROUND

In December 2017, the State of California experienced major wildfires, gravely impacting the lives of many Californians and affecting multiple utility services across the state.

On December 4, 2017, multiple fires broke out throughout Southern California.[25] The Thomas Fire started in Ventura County and has burned nearly 272,200 acres.[26] About 1,024 structures have been destroyed, 250 structures have been damaged, and 18,000 structures were threatened. Two fatalities occurred: a 70 year-old woman lost her life and a firefighter's life was lost fighting the fire. This fire's devastation and destruction spread into Santa Barbara County.[27] Evacuation warnings were issued for Carpinteria, Montecito, and Santa Barbara. On December 5, 2017, two fires broke out in Los Angeles County – the Creek Fire, which burned more than 15,619 acres, and the Rye Fire, which

[24] California LifeLine Emergency Protections: These two emergency protections lasting between December 1, 2017 and March 31, 2018 will enable California LifeLine participants to keep their California LifeLine discounts for a longer period of time. Our objective is to ensure the fire victims have continued access to essential telecommunications services during this difficult time. California LifeLine telephone service providers and the California LifeLine Administrator must implement the activities associated with these two emergency protections for California LifeLine participants residing in the fire-affected counties in a timely manner.

[25] The affected California counties include: Santa Barbara, Ventura, Los Angeles, and San Diego.

[26] All subsequent statistics regarding fire related impact in this resolution are current as of December 21, 2017.

[27] Governor Edmund G. Brown, Jr.'s *Request for Presidential Emergency Declaration on December 7, 2017*.

burned 6,049 acres.[28] On December 6, 2017, the Skirball Fire broke out in Los Angeles County, which devastated hundreds of homes and threatened the Getty Center.[29] On December 7, 2017 the Lilac Fire erupted in San Diego County, rapidly burning 4,100 acres in just a few hours resulting in 157 structures being destroyed and 64 structures damaged. Finally, on December 7, 2017, the Liberty Fire broke out in Riverside County burning 300 acres destroying one structure and six outbuildings.

The devastation, destruction, and disruption caused by these fires are extraordinary.

Thousands of Southern Californians lost power one day after the Thomas Fire broke out in Ventura County. At the height of the power outage, more than 200,000 people were in the dark. Gas services were also impacted. These fires have destroyed and continue to threaten critical infrastructure, impacting essential services for hundreds of thousands of people.

Similar to the action this Commission took in Resolution M-4833, the Commission hereby takes specific action, in this Resolution, in response to the Governor's emergency proclamations. This Resolution's emergency consumer protections for the people of Southern California will provide continuity and consistency between all utility actions related to emergencies resulting from the statewide wildfires.

DISCUSSION

The December 2017 wildfires impacted a great number of California customers. The Commission believes that persons affected by the wildfires should be assisted, and that California utilities should provide assistance, in this time of need, to the affected counties of Santa Barbara, Ventura, Los Angeles, and San Diego.

Having access to essential utility services is critical to rebuilding the affected communities. Residential and non-residential customers in the wildfire affected counties may fall behind on utility payments, not of their own volition, but as they bear costs of rebuilding their homes or transitioning to permanent or long-term substitute housing. Thus, the Commission grants wildfire victims protection from service discontinuation for nonpayment, and associated fees, through January 11, 2019. These exemptions are provided in response to extraordinary circumstances and Proclamations of State of

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[28] Governor Edmund G. Brown, Jr.'s *Request for Presidential Emergency Declaration on December 7, 2017*.

[29] Governor Edmund G. Brown, Jr.'s *Request for Presidential Emergency Declaration on December 7, 2017*.

Emergency; they do not establish precedent for standard ratemaking and customer service Commission processes.

For the California LifeLine Program, our specific relief for the California LifeLine participants shall occur between December 1, 2017 and March 31, 2018. Additionally, our relief effort for California LifeLine participants will be partially contingent upon the FCC granting the Commission's petition for a temporary waiver of the federal Lifeline program's renewal process and de-enrollment for non-usage rules.

Residential and non-residential customers in the wildfire-affected counties of Santa Barbara, Ventura, Los Angeles, and San Diego are eligible for the emergency customer protections stipulated in this Resolution.

Emergency Customer Protections for Electric and Gas Utility Residential Customers

SCE, SoCalGas, and SDG&E are directed to file Tier 2 compliance advice letters with the Commission's Energy Division to implement the ordering paragraphs of this Resolution and modify their tariffs as necessary within 15 days of the date this resolution is adopted.

8. **Waive Deposit Requirements for Affected Wildfire Residential Customers seeking to Re-establish Service for one year and expedite Move-in and Move-out Service requests.**

A major hurdle for evacuees trying to transition from shelters, other temporary housing arrangements, and uninhabitable homes to more permanent housing can be credit deposits that utilities require as a condition of providing service. To remove this hurdle, the Commission directs SCE, SoCalGas, and SDG&E to waive deposit requirements for wildfire victims seeking to reestablish service. This waiver shall last for one year from the date of today's Resolution.

Additionally, the Commission directs SCE, SoCalGas, and SDG&E to initiate best efforts to expedite move-in and move-outs to support Californians returning to their homes and establishing service in new locations. Move-in and move-outs are limited only to utility account related efforts. SCE, SoCalGas, and SDG&E, shall ensure that utility staff monitor and track the time from when service requests are submitted to the utility to when services are provided to residential customers. Utilities are directed to ensure that sufficient utility staff resources are available to expeditiously facilitate move-in and move-outs.

9. Stop Estimated Energy Usage for Billing for Residential Customers Attributed to the Time Period when the Home/Unit was Unoccupied as a result of the Wildfires.

The Commission directs SCE, SoCalGas, and SDG&E to recalibrate their approach for estimating energy usage to account for reduced consumption during the period of time the home/unit was unoccupied as a result of the wildfires.

2a. Discontinue Billing

SCE, SoCalGas, and SDG&E shall identify the premises of affected customers that are not capable of receiving utility services and discontinue billing these premises without assessing a disconnection charge.

2b. Minimum billing

SCE, SoCalGas, and SDG&E shall prorate any monthly access charge or minimum charges for affected customers typically assessed so that no customer shall bear any of these costs for the time period after the customer's home was rendered unserviceable by the fire.

10. Implement Payment Plan Options for Residential Customers.

Payment plans are an important tool for preserving access to utility service for customers struggling to keep up with their bills. We believe that payment plans are an important tool to leverage for the victims of the wildfires and direct SCE, SoCalGas, and SDG&E to offer the wildfire victims payment plan options.

Affected customers who have prior arrearages and have lost their homes or have been displaced, and are seeking to establish service in a new residence, shall be offered a payment plan with an initial payment of no greater than 20 percent of the amount due, and with equal installments for the remainder of not less than twelve billing cycles. For affected customers who currently have service but go into arrearage after December 4, 2017, SCE, SoCalGas, and SDG&E shall offer a payment plan with an initial payment of no greater than 20 percent of the amount due, and with equal installments for the remainder of not less than eight billing cycles. A customer who is offered a payment plan shall not be precluded from paying off an arrearage more quickly.

11. **Suspend Disconnection for Non-payment and Associated Fees, Waive Deposit and Late Fee Requirements for Residential Customers.**

Utilities may require some customers who pay bills late or are disconnected for non-payment to "re-establish" credit by paying a deposit, which can be up to twice the average monthly bill. Utilities may also assess late fees. These deposits to re-establish credit or the assessment of late fees could adversely impact the victims of the wildfires.

Having access to essential utility services is critical for affected customers to regain stability. It is reasonable to anticipate that some customers may fall behind on utility payments as they bear the costs of rebuilding their homes. Therefore, the Commission directs SCE, SoCalGas, and SDG&E to suspend disconnection for non-payment and associated fees for affected customers. SCE, SoCalGas, and SDG&E shall waive the deposit and late fee requirements for affected customers who pay their utility bills late. This waiver shall last for one year from the date of today's Resolution. SCE, SoCalGas, and SDG&E shall not report late payments by residential customers, who are eligible for these protections, to credit reporting agencies or to other such services.

12. **Support Low-Income Residential Customers affected by the 2017 wildfires.**

The Commission directs SCE, SDG&E, and SoCalGas to implement the following actions for impacted CARE customers in the required Tier 2 advice letter:

(1) Freeze all standard and high-usage reviews for CARE program eligibility in impacted counties until at least the end of the year, and potentially longer as warranted;

(2) Contact all Community Outreach Contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes; and

(3) Partner with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers.

(4) Indicate how the Energy Savings Assistance program can be deployed to assist impacted customers.

13. **Non-Residential Customers**

Similar to the relief granted to residential customers, SCE, SoCalGas, and SDG&E must help the affected non-residential customers of Southern California. The Commission directs SCE, SoCalGas, and SDG&E to include in their Tier 2 advice letters a proposal for how they will implement emergency consumer protections to support non-residential customers of the December 2017 wildfires. The advice letter must detail: (1) how the utility will identify non-residential customers affected by the fires; (2) how non-residential customers can qualify as "eligible" for emergency relief; (3) a communication plan to convey the availability of these protections; and (4) the specific forms of utility relief available to non-residential customers.

14. Cost Recovery

It is likely that the named gas and electric utilities will incur incremental expenses in complying with this Resolution. In order to allow for recovery of expenses that are reasonably incurred, SCE, SoCalGas, and SDG&E shall each, as appropriate, either establish a Wildfires Customer Protections Memorandum Account (WCPMA) or amend their existing WCPMA[30], to book those costs associated with protections ordered by this Resolution. The recorded costs must meet the following conditions: (1) those ordered by this Resolution; and (2) incurred starting with the date of the fires. The review of these costs for possible collection in rates will be conducted in a General Rate Case, a Biennial Cost Allocation Plan, or another proceeding. This affords Commission staff an appropriate and sufficient opportunity for review of incurred incremental expense associated with this Resolution. The advice letter must include preliminary statement tariff language for the new or amended WCPMA.

15. Other Considerations.

Finally, in order to provide immediate assistance and customer protections, SCE, SoCalGas, and SDG&E must act with expediency in filing their advice letters. SCE, SoCalGas, and SDG&E must request expedited advice letter treatment pursuant to the Commission's General Order (GO) 96-B. SCE, SoCalGas, and SDG&E must also request a waiver or a shortened protest and reply period of five days. Additionally, SCE, SoCalGas, and SDG&E must include in their advice letters: (1) a proposal that describes how it identifies the areas impacted by the fires; (2) how customers can qualify as "eligible"[31] for each emergency relief proposal; and (3) a communication plan to convey

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[30] SoCal Gas and SCE have already submitted for Commission approval advice letters establishing WCPMAs, pursuant to Resolution M-4833.

[31] SCE, SoCalGas, and SDG&E may consider the following factors when determining eligibility. These factors are not exclusive or exhaustive, but rather, factors to consider when filing the Tier 2 advice letter: (1) whether the customer has been affected by the wildfires and suffered a temporary or permanent loss of home, workplace, employment, school; (2) and/or the inability to access any of these locations or essential services; and/or (3) having to provide for family that has suffered such loss.

the availability of these protections to customers, especially those who may have been displaced from their homes.

<u>**Emergency Customer Protections for Residential Communications Customers**</u>

4. **Carriers of Last Resort and Other Communication Providers' Efforts.**

Similar to the emergency consumer protections adopted by the Commission in Resolution M-4833 for the October 2017 fires, we encourage Carriers of Last Resort (COLR) and other communications providers to continue to provide bill credits.

We remind COLRs of their obligation under their filed tariffs to provide credits to customers for time out of service, as well as any additional service accommodations necessary to ensure their customers have access to telecommunications services following the fires including, but not limited to customer deposits, restoration and connection charges, line extension charges and temporary service allowances.

We again require all COLRs to provide the following emergency protections to its customers impacted by the fires:

- A waiver of the one-time activation fee for establishing Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services;
- A waiver of the monthly rate for one month for Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services;
- A waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the original premises;
- A waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire plan;
- A waiver of the fee for up to five free jacks and associated wiring for Inside Wire Plan customers upon their return to their permanent location; and
- A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location.

Additionally, if any COLR or telephone service provider wishes to provide additional service accommodations to their affected customers that vary from or are in addition to their tariffs, we encourage them to seek approval to do so through a Tier 2 advice letter and/or by another means of notification to the Communication Division within 15 days of this Resolution.

5. California LifeLine Program Efforts.

Given the destruction of the December 2017 fires, we deem it also necessary to provide emergency protections for the California LifeLine participants residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties. Consequently, the Commission delays the renewal process and suspends the de-enrollment for non-usage rules for the California LifeLine participants residing in these fire-affected counties. These emergency protections will last for four months from December 1, 2017 to March 31, 2018. We also require the California LifeLine Administrator (Administrator) and the Consumer Affairs Branch (CAB) to perform additional outreach efforts. We want to ensure that the fire victims do not have to worry about losing their California LifeLine discounts during this critical time as they rebuild their lives.

2a. Emergency Protection: Delaying the Renewal Process

The California LifeLine Program requires participants to renew their California LifeLine discounts before their anniversary dates in order to receive the discounts for another year.[32] The renewal process primarily relies on mailing the renewal packets to participants. With the extensive destruction of structures, including homes, in the fire–affected counties, the receipt of the mailed renewal packets poses a significant barrier to a successful renewal process. Even if a participant received the renewal packet, the fires could have burned the renewal packet.

The renewal process will resume on April 1, 2018 (Catch-Up Renewal Process) for California LifeLine participants impacted by the December 2017 California wildfires.[33] In order to conduct the Catch-Up Renewal Process, any impacted participants' anniversary dates will be adjusted to July 15, 2018. The participants in Santa Barbara, Ventura, Los Angeles, and San Diego counties will continue receiving their California LifeLine discounts during this Catch-Up Renewal Process.[34]

[32] *See* General Order 153 § 4.5.

[33] The California LifeLine Program's renewal process lasts 105 days. See http://www.cpuc.ca.gov/uploadedFiles/CPUCWebsite/Content/UtilitiesIndustries/Communications/ServiceProviderInfo/CDLifeLineNumbering/Timeline_Renewals_062315.pdf (last visited November 1, 2017).

[34] However, we are not altering other rules that would enable service disconnection or de-enrollment of a participant.

The table below delineates how the California LifeLine Administrator (Administrator) will determine which participants in Santa Barbara, Ventura, Los Angeles, and San Diego counties will be subject to the Catch-Up Renewal Process:

GROUP A	**GROUP B**	**GROUP C**
ACTION: OVERTURN DENIAL & INCLUDE IN CATCH-UP RENEWAL PROCESS	**ACTION: INCLUDE IN CATCH-UP RENEWAL PROCESS**	**ACTION: EXCLUDE FROM CATCH-UP RENEWAL PROCESS**
Administrator already communicated the final denial due to non-response to the renewing participant	Administrator has begun the renewal process, but has yet to communicate the final eligibility decision to the renewing participant	Administrator already communicated the final approval to the renewing participant
Administrator already communicated the final denial due to non-response to the renewing participant, but the consumer is subsequently attempting to enroll in the program (Administrator will conduct an intra-carrier or inter-carrier transfer, as applicable, if the application request is still pending)	Administrator has not begun the renewal process, but is scheduled to occur before April 1, 2018	Administrator has begun the renewal process, but has yet to communicate the final approval to the renewing participant
		Administrator already communicated the final denial due to non-response to the renewing participant, but subsequently enrolled in the program

On the Implementation Start Date[35], the California LifeLine Administrator shall overturn the final denials that it has already communicated to the renewing participants residing in the fire-impacted counties. Then on the next business day after the Implementation Start Date, the California LifeLine Administrator shall notify the relevant California LifeLine service providers of these overturned denials.

Once a California LifeLine service provider receives the overturned denial for a participant, the California LifeLine service provider must review its records and customer accounts to determine if the participant still has an active account with the service provider. If the participant no longer has an active account with the service provider, the California LifeLine service provider must immediately send a disconnect request to the California LifeLine Administrator. The disconnect request must be dated back to the date that the California LifeLine service provider disconnected the phone service. If the participant still has an active account with the California LifeLine service provider, the California LifeLine service provider must continue to provide the California LifeLine discounts to the participant.

On April 1, 2018, the California LifeLine Administrator shall conduct the Catch-Up Renewal Process for Groups A and B as identified in the table above. Also, on the Implementation Start Date, for the participants undergoing the Catch-Up Renewal Process in Santa Barbara, Ventura, Los Angeles, and San Diego counties, the California LifeLine Administrator shall adjust the participants' anniversary dates to July 15, 2018. If the Administrator inadvertently excluded a participant from the Catch-Up Renewal Process, the participant may contact the Administrator or CAB to research the situation and to determine the appropriate solution, as applicable.

2b. Emergency Protection: Suspending the De-Enrollment of Non-Usage Rules

The federal Lifeline program requires federal Lifeline participants to use their service in a span of 30 consecutive days, or otherwise risk de-enrollment.[36] This type of de-enrollment mainly applies to pre-paid wireless telephone services. Availability of phone service was impacted by power outages, melted, damaged, or knocked out telephone poles, fiber cables, and cellular sites. Additionally, fire victims may have lost their devices in the fire, and thus need time to replace their devices and re-establish phone service. We believe California LifeLine participants residing in the fire-affected counties

[35] The Implementation Start Date will be the next business day after the FCC responds to our waiver request.

[36] *See* 47 C.F.R. §§ 54.405(e)(3) and 54.407(c)(2).

need a brief period of relief from this type of de-enrollment. These participants should not be de-enrolled for non-usage between December 1, 2017 and March 31, 2018. If a California LifeLine service provider de-enrolled a participant for non-usage between December 1, 2017 and the Implementation Start Date, the service provider must submit an enrollment request to the Administrator to re-connect the participant, subject to the participant being active in the service provider's system. The Administrator will not require these participants to undergo the application process even if the de-enrollment from the California LifeLine Program has been more than 30 days.

The California LifeLine service provider must review its records to determine if the participant still has an active account with the service provider. If the participant no longer has an active account with the service provider, the California LifeLine service provider does not need to send an enrollment request to the California LifeLine Administrator. If the participant still has an active account with the California LifeLine service provider, the California LifeLine service provider must continue to provide the California LifeLine discounts to the participant.

2c. California LifeLine Program's Emergency Protections are Partially Contingent Upon the Federal Communications Commission Granting the Commission's Pending Temporary Waiver.

The Commission has filed with the FCC a request for a temporary waiver (Waiver Request) of the federal Lifeline program's renewal process and de-enrollment for non-usage rules for the October 2017 wildfires. The Commission's Waiver Request is still pending at the FCC. The Commission has also supplemented its Waiver Request to add Santa Barbara, Ventura, Los Angeles, and San Diego counties. If the FCC denies the Commission's Waiver Request for any of the fire-affected counties, the California LifeLine Program will replace any lost federal Lifeline support to California LifeLine participants residing in those excluded counties. The California LifeLine Program will support the participants in the disaster areas for whom the FCC declined to provide emergency relief assistance. If the FCC denies the Commission's Waiver Request in its entirety or limits the duration of the waiver period from the federal Lifeline program's rules, then the California LifeLine staff will submit a draft resolution for the Commission's consideration of measures that the California LifeLine Program should take to support the California LifeLine participants residing in the fire-affected counties.

Additionally, the Implementation Start Date of the California LifeLine Program's emergency protections will depend on the date that the FCC responds to our Waiver Request. The Implementation Start Date will be the next business day after the FCC responds to our Waiver Request. If the FCC does not respond to the Commission's Waiver Request by January 31, 2018, the California LifeLine staff will submit a draft resolution for the Commission's consideration.

2d. Outreach.

California LifeLine service providers, Consumer Affairs Branch staff, and Administrator call center staff have constant communications with consumers. We encourage consumer education by these stakeholders regarding our emergency protections adopted in this Resolution.

Additionally, we require CAB and the Administrator's call center staff to assist California LifeLine participants impacted by the October and December 2017 wildfires, when applicable, with the renewal process. We thus make available a new method, "Renewals by CAB and the Administrator Call Center Staff," by which California LifeLine participants can renew their eligibility. When a participant contacts CAB and the Administrator's call center, the participant may be offered the opportunity to renew her/his eligibility while on the phone with CAB or the Administrator's call center staff. CAB and the Administrator may utilize the online form to submit the renewal on behalf of the participant. We direct the Communications Division (CD) to a) determine when this new renewal method may be applicable, e.g., the most impacted zip codes by the fires to target and the necessary conditions to receive a participant's consent to complete, sign, and submit the renewal form on his/her behalf; and b) to notify stakeholders, CAB, and the Administrator accordingly.

Lastly, we require the Administrator to conduct an outbound call campaign to California LifeLine participants impacted by the October and December 2017 wildfires. This call campaign should facilitate the use of the new renewal method, "Renewals by CAB and the Administrator Call Center Staff." We direct CD to determine the scope of this outbound call campaign, e.g., start date, end date, script, and the most impacted zip codes by the fires to target.

CD, CAB, and the Administrator should implement these outreach efforts as soon as possible. These outreach efforts can make it easier for California LifeLine participants to keep their California LifeLine discounts.

General Compliance with other State statutes and applicable regulations

SCE, SoCalGas, and SDG&E, and communications companies are directed to ensure compliance with existing statutes, regulations, ordinances and work in cooperation with the California Department of Fire, the Office of Emergency Services, and other appropriate California, federal, and local government agencies.

COMMENTS

Public Utilities Code section 311(g)(1) provides that this Resolution must be served on all parties and subject to at least 30 days public review and comment prior to a vote of the Commission. Section 311(g)(2) provides that this 30-day period may be reduced or waived ”in an unforeseen emergency … .” The Commission’s Rules of Practice and Procedure also provides that public review and comment may be waived or reduced in an “unforeseen emergency situation” specifically where there are “[a]ctivities that severely impair or threaten to severely impair public health or safety…” (Rule 14.6(a)(1) and/or where there are “[c]rippling disasters that severely impair public health or safety.” (Rule 14.6(a)(2)).

The 30-day comment period is waived pursuant to these authorities due to the extraordinary nature of these disasters. However, in order to better disseminate the directives in this resolution it was served on the service lists of the last General Rate Cases for the energy utilities. Interested persons are welcome to monitor the forthcoming advice letter processes.

FINDINGS

18. Beginning on December 4, 2017, wildfires started across Santa Barbara, Ventura, Los Angeles, and San Diego counties.
19. These wildfires damaged or destroyed several thousand structures in electric, gas, and communications service territories.
20. Residential and non-residential customers affected by these destructive wildfires should be given assistance to pay their utility bills.
21. On December 5 and December 7, 2017 Governor Brown declared states of emergency in the counties of Santa Barbara, Ventura, Los Angeles, and San Diego.
22. Carriers of Last Resort’s (COLR) tariffs require customer credits for time out of service and provide terms and conditions for customer deposits, service restoration, temporary service and line extension charges.
23. In order to address the needs of telecommunications customers affected by the recent fires, it is reasonable to require COLR to waive call forwarding, service connection, service restoration and inside wire fees.
24. COLRs and other telecommunications carriers that wish to offer additional service accommodations that vary from or are in addition to their tariffs, must seek approval to do so through a Tier 2 advice letter and/or by another means of notification to the Communication Division within 15 days of this Resolution.
25. In early November 2017, the Commission filed a request for a temporary waiver (Waiver Request) with the FCC to suspend the federal Lifeline program’s renewal

process and de-enrollment for non-usage rules from October 1, 2017 to January 31, 2017 for participants residing in the fire-affected counties.

26. In late December 2017, the Commission filed a supplement to its Waiver Request with the FCC to add Santa Barbara, Ventura, Los Angeles, and San Diego counties.
27. The California LifeLine participants affected by these destructive December 2017 wildfires should temporarily be exempt from the renewal process and de-enrollment due to non-usage rules from December 1, 2017 to March 31, 2018.
28. The California LifeLine Catch-Up Renewal Process should resume on April 1, 2018 for California LifeLine participants impacted by the December 2017 wildfires.
29. The anniversary date for any December 2017 fire-impacted California LifeLine participants should be adjusted to July 15, 2018 to conduct the California LifeLine Catch-Up Renewal Process.
30. If a California LifeLine service provider receives an overturned denial from the California LifeLine Administrator, the California LifeLine service provider should check its records to determine whether or not the participant is active in its system.
31. If a California LifeLine service provider de-enrolled a participant residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties for non-usage between December 1, 2017 to March 31, 2018, the California LifeLine service provider should check its records to determine whether or not the participant is active in its system.
32. A California LifeLine service provider should not claim California LifeLine Program funding for participants that are not active in its system.
33. The California LifeLine Program should replace any lost federal Lifeline support to California LifeLine participants residing in any of the fire-affected counties that the FCC does not grant a waiver from the federal Lifeline program's de-enrollment for non-usage rules and the renewal process.
34. The Administrator's and CAB's call center staff should assist California LifeLine participants impacted by the October and December 2017 wildfires with the renewal process.
35. Public Utilities Code section 311(g)(1) allows the Commission to reduce or waive the public review and comment period in an unforeseen emergency.

THEREFORE IT IS ORDERED THAT:

30. Within 15 days of the date of this resolution, Southern California Edison (SCE), Southern California Gas (SoCalGas), and San Diego Gas and Electric (SDG&E) must file a Tier 2 advice letter, entitled *Emergency Residential Customer and Non-Residential Customer Protections for December 2017 Wildfire Victims,* establishing

Emergency Customer Protections for the December 2017 Wildfires, as adopted in the Ordering Paragraphs below.

31. SCE, SoCalGas, and SDG&E must demonstrate in their respective Tier 2 Advice Letter(s) the following actions to assist affected wildfire residential customers: (a) waiver of deposit requirements those seeking to re-establish service for one year and expedite move-in and move-out service requests; (b) stop estimated energy usage for billing attributed to the time period when the home/unit was unoccupied as a result of the wildfires; (c) discuss how the utility has implemented payment plan options; and (d) waive deposit and late fee requirements; and freeze all standard and high-usage reviews for CARE program eligibility in impacted counties until at least the end of the year, and potentially longer as warranted.

32. SCE, SoCalGas, and SDG&E must propose a plan in their Tier 2 Advice Letter(s) to implement the following actions for CARE customers: (1) contact all Community Outreach Contractors, the community based organizations who assist in enrolling hard-to-reach low-income customers into CARE, in impacted counties to help better inform customers of these eligibility changes; (2) partner with the program administrator of the customer funded emergency assistance program for low-income customers and increase the assistance limit amount for the next 12 months for impacted customers; and (3) provide Energy Savings Assistance services to impacted customers.

33. SCE, SoCalGas, and SDG&E must include in their Tier 2 advice letters a proposal for how they will implement emergency consumer protections to support non-residential customers of the December 2017 wildfires. The advice letter must detail: (1) how the utility will identify non-residential customers affected by the fires; (2) how non-residential customers can qualify as "eligible" for emergency relief; (3) a communication plan to convey the availability of these protections; and (4) the specific forms of utility relief available to non-residential customers. SCE, SoCalGas, and SDG&E must each establish or amend a Wildfires Customer Protections Memorandum Account (WCPMA) to book costs associated with protections ordered by this Resolution which are incurred starting with the date of the December 2017 fires in each utility's respective territory. The utilities may seek recovery of costs in the WCPMA in a general rate case or other appropriate ratemaking proceeding.

34. SCE, SoCalGas, and SDG&E must ensure sufficient utility resources are available to expeditiously facilitate move-in and move-outs.

35. The emergency residential and non-residential consumer protections in this Resolution will end one year after the effective date of this Resolution unless extended by later order of the Commission.

36. SCE, SoCalGas, and SDG&E must request expedited advice letter treatment pursuant to the Commission's General Order 96-B.

37. SCE, SoCalGas, and SDG&E must request a waiver or a shortened protest and reply period of five days.
38. SCE, SoCalGas, and SDG&E must include in their Tier 2 advice letters: (a) a proposal that describes how it identifies the areas impacted by the fires; (b) how customers can qualify as "eligible" for each emergency relief proposal; (c) a plan for communicating the availability of these protections to customers, especially those who may have been displaced from their homes; and (d) Preliminary Statement tariff language for the new or amended WCPMA.
39. SCE, SoCalGas, and SDG&E must request expedited advice letter treatment pursuant to the Commission's General Order 96-B.
40. SCE, SoCalGas, and SDG&E, and must request a waiver or a shortened protest and reply period of five days.
41. Carriers of Last Resort, including AT&T, must provide waivers from charges for those services listed in Attachment A.
42. Carriers of Last Resort, including AT&T, must file a Tier 2 advice letter and/or submit a notification to the Communications Division to provide service accommodations that vary from or are in addition to their tariffs to support fire victims within 15 days of this Resolution.
43. The California LifeLine Administrator must delay the renewal process for California LifeLine participants residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties consistent with this Resolution.
44. California LifeLine Administrator must conduct the Catch-Up Renewal Process for California LifeLine participants residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties consistent with this Resolution.
45. The California LifeLine Program's de-enrollment for non-usage rules are suspended during December 1, 2017 and March 31, 2018 for California LifeLine participants residing in for California LifeLine participants residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties consistent with this Resolution.
46. California LifeLine service providers must comply with the emergency protections afforded to California LifeLine participants residing in the Santa Barbara, Ventura, Los Angeles, and San Diego counties consistent with this Resolution.
47. The California LifeLine Program must fund any loss in federal Lifeline program support for California LifeLine participants residing in Santa Barbara, Ventura, Los Angeles, and San Diego counties that the Federal Communications Commission declines in federal Lifeline support in connection with the Commission's Waiver Request for a temporary waiver of the federal Lifeline program's de-enrollment for non-usage rules and the renewal process.

48. The named utilities must serve their respective advice letters on all service lists impacted by the emergency consumer protections adopted in this Resolution.

This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed and adopted at a conference of the Public Utilities Commission of the State of California held on January 11, 2018, the following Commissioners voting favorably thereon:

/s/ TIMOTHY J. SULLIVAN

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TIMOTHY J. SULLIVAN
Executive Director

MICHAEL PICKER
President
CARLA J. PETERMAN
LIANE M. RANDOLPH
MARTHA GUZMAN ACEVES
CLIFFORD RECHTSCHAFFEN
Commissioners

Resolution M-4835

ATTACHMENT A

Telecommunication Carrier of Last Resort Waivers:

- A waiver of the one-time activation fee for establishing Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services.
- A waiver of the monthly rate for one month for Remote Call Forwarding, Remote Access to Call Forwarding, Call Forwarding features and Messaging services.
- A waiver of the service charge for installation of service at the temporary or new permanent location of the customer and again when the customer moves back to the original premises.
- A waiver of the fee for one jack and associated wiring at the temporary location regardless of whether the customer has an Inside Wire plan.
- A waiver of the fee for up to five free jacks and associated wiring for Inside Wire Plan customers upon their return to their permanent location.
- A waiver of the fee for one jack and associated wiring for non-Plan customers upon their return to their permanent location.